

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 443 - HB 1271

February 17, 2023

SUMMARY OF BILL: Creates the “Access and Opportunity Act”. Requires each local education agency (LEA) and public school, including a public charter school, to provide home school students in good academic standing and students who transfer into the LEA or public school in good academic standing with equal access to all academic, arts, or athletic programs, clubs, events, and opportunities offered by the LEA or public school as provided to non-transfer students enrolled in the LEA or public school. Establishes that home school students in good academic standing and students who transfer into an LEA or public school in good academic standing are immediately eligible to participate in all academic, arts, or athletic programs, clubs, events, and opportunities offered by the LEA or public school. Establishes that an LEA or public school is not required to guarantee a home school student or transfer student a place or position on any team, club, or organization.

FISCAL IMPACT:

Other Fiscal Impact – The expanded opportunity for home school and transfer students may result in a funding shift for some LEAs and public charter schools. However, due to multiple unknown variables, a precise fiscal impact cannot reasonably be determined.

Assumptions:

- Currently, LEAs and charter schools do not have to allow home school students to participate in their academic, arts, or athletic programs, clubs, events, and opportunities other than Junior Reserve Officer Training Corps and athletics that fall under Tenn. Code Ann. § 49-6-3050(e).
- The proposed legislation expands access for home school and transfer students to participate in all academic, arts, or athletic programs, clubs, events, and opportunities offered by the LEA or public school.
- It is assumed that the legislation will allow home school and transfer students to take classes offered by the LEA or public school. Home school students would be allowed to participate in these opportunities without having to enroll in the public school.
- Expanded opportunities for home school and transfer students may increase the number of students participating in the public schools' classes and various activities; furthermore, the flexibility of home schooling coupled with the proposed access to all school programs and activities may incentivize current students to become home school students and unenroll from public schools.

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- Currently, home school students do not count in a school district or public charter school's average daily membership (ADM) for purposes of the Basic Education Program or the Tennessee Investment in Student Achievement funding for LEAs.
- It is unknown if an LEA would generate additional funding for a home school student participating in academic classes or if the proposed legislation would include access to special education opportunities.
- Any increase in ADM for a school may require an increase in expenditures for additional staff and resources; any decrease in ADM for a school will result in a decrease in funding generated through TISA. Because it is unknown how many students may enter or leave an LEA as a result of the proposed legislation and how these students may affect funding mechanisms, a precise fiscal impact cannot reasonably be determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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